

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-vs-

ORDER

Criminal Action No. 1:24-cr-392 (MAD)

KRIS ROGLIERI,

Defendants.

BASED ON THE JOINT STIPULATION AND THE FOLLOWING FINDINGS, IT IS
HEREBY ORDERED:

1. That the ninety (90) day time period, from December 19, 2024 to and including **March 18, 2025**, shall be excludable in computing time under the Speedy Trial Act. Based on the stipulated facts and findings set forth in the joint stipulation which the Court incorporates into this Order and adopts them as findings, the Court further finds, pursuant to 18 U.S.C. §3161(h)(7), that the ends of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial.

2. The deadline for the completion of discovery by the United States shall be completed on or before **March 21, 2025** (otherwise due within 14 days of arraignment pursuant to Local Rules of Criminal Procedure and the Criminal Pretrial Order). The deadline for the completion of reciprocal discovery by the defendant shall be completed on or before **March 28, 2025** (otherwise due within 21 days of arraignment pursuant to Local Rules of Criminal Procedure and the Criminal Pretrial order).

3. Any pretrial motions in this case shall be filed on or before **April 4, 2025**, and shall be made returnable on submit before Judge Mae A. D'Agostino with no appearances necessary.

4. Any change of plea shall be entered on or before **May 2, 2025**.
5. All pretrial submissions as set forth in the criminal pretrial scheduling order (*Dkt* #43) are due on or before **May 5, 2025**.
6. A Final Pretrial Conference will be held on **May 13, 2025 at 10:00 a.m.** in Albany before Judge Mae A. D'Agostino. Counsel are directed to report to Judge D'Agostino's chambers for this conference.
7. Jury Trial is scheduled to commence on **May 19, 2025 at 9:30 a.m.** before Judge Mae A. D'Agostino in Albany, New York.

IT IS SO ORDERED

Dated: December 19, 2024
Albany, New York


Mae A. D'Agostino
U.S. District Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA)	Criminal No. 1:24-CR-392 (MAD)
)	
v.)	STIPULATION AND ORDER
)	FOR CONTINUANCE
KRIS ROGLIERI,)	
)	
)	
Defendant.)	

Matthew E. Trainor and Jeremy B. Sporn, attorneys for Kris Roglieri, having moved for a continuance of 90 days within which the parties may complete discovery, file motions and prepare for trial in the above-captioned action, and Carla B. Freedman, United States Attorney for the Northern District of New York, Assistant U.S. Attorneys Joshua R. Rosenthal and Michael Barnett appearing, having consented to the continuance and proposed the exclusion of the 90-day period of continuance under the Speedy Trial Act, the parties hereby stipulate and agree as follows:

- 1) The prior proceedings in this case occurred as follows:
 - a) Date of complaint: May 28, 2024
 - b) Date of initial appearance: May 31, 2024
 - c) Date of indictment: September 19, 2024
 - d) Date of arraignment: Waived on September 30, 2024
 - e) Defendant custody status: Detained.
 - i) Date United States moved for detention: May 31, 2024
 - ii) Date of detention hearings: June 3, 2024 and reopened on November 25, 2024.
 - iii) Date detention decision issued: June 3, 2024 and November 25, 2024.
- 2) The Court previously ordered the following exclusions under the Speedy Trial Act:

Pre-Indictment

- a) June 12, 2024 through August 9, 2024. Dkt. # 15.
- b) August 6, 2024 through September 6, 2024. Dkt. # 34.

Post-Indictment

- a) October 3, 2024 through December 31, 2024. Dkt. # 45.
- 3) Kris Roglieri has requested the continuance based on the following facts and circumstances: The allegations in the indictment and the scope of the government's investigation involve complex factual and legal issues, including a substantial number of alleged victims of the conduct subject of the government's investigation. The defendant and his companies are involved in several civil and bankruptcy litigations concerning the same or similar subject matter. The government has made several productions of voluminous pre-indictment and post-indictment discovery to defense counsel and will produce additional voluminous discovery pursuant to the Court's pretrial scheduling order.
- 4) The parties stipulate and agree that the ends of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial because the case is so complex due to the nature of the prosecution that it is unreasonable to expect adequate preparation for pretrial proceedings or for the trial itself within the default time limits established by the Speedy Trial Act. *See* 18 U.S.C. § 3161(h)(7)(B)(ii). Alternatively, the delay is necessary to allow the parties the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv).
- 5) The parties stipulate and agree that a period of 90 days from the date of the signing of this Order shall be excludable under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(ii), (iv).

The undersigned attorneys affirm under penalty of perjury the accuracy of the facts set forth above and apply for and consent to the proposed order set forth below.

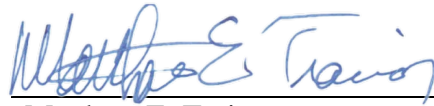
Dated: December 17, 2024

CARLA B. FREEDMAN
United States Attorney

By:



Joshua R. Rosenthal
Michael Barnett
Assistant United States Attorneys
Bar Roll Nos. 700730 & 519140



Matthew E. Trainor
Jeremy B. Sporn
Attorneys for Kris Roglieri
Bar Roll Nos. 105643 & 704243

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA)	Criminal No. 1:24-CR-392 (MAD)
)	
v.)	
)	
KRIS ROGLIERI,)	
)	
Defendant.)	

ORDER

A. The Court incorporates into this Order the stipulated facts set forth above and hereby adopts them as findings.

B. The Court has considered its obligation under 18 U.S.C. § 3161(h)(7)(A) to determine whether a continuance serves the ends of justice in a manner that outweighs both the public interest and the defendant's rights. The Court finds that pursuant to 18 U.S.C. § 3161(h)(7)(A), the ends of justice served by granting the requested continuance outweigh the best interests of the public and the defendant in a speedy trial because the case is so complex due to the nature of the prosecution that it is unreasonable to expect adequate preparation for pretrial proceedings or for the trial itself within the time limits established by the Speedy Trial Act. Alternatively, this delay is necessary to allow the parties the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

BASED ON THE STIPULATED FACTS AND THE COURT'S RELATED FINDINGS
IT IS HEREBY ORDERED:

A. A period of 90 days, from the date of the signing of this Order shall be excludable in computing time under the Speedy Trial Act.

B. The deadline for the completion of discovery by the United States (otherwise due within 14 days of arraignment pursuant to the terms of the Local Rules of Criminal Procedure and the Criminal Pretrial Order) will be extended to _____. The deadline for the completion of reciprocal discovery by the defendant (otherwise due within 21 days of arraignment pursuant to the terms of the Local Rules of Criminal Procedure and the Criminal Pretrial Order) will be extended to _____.

C. Any pretrial motions in this case shall be filed on or before _____ and shall be made returnable on _____.

D. The trial in this matter shall begin on _____ before United States District Judge Mae A. D'Agostino in Albany, New York or, in the alternative, a change of plea shall be entered on or before _____.

IT IS SO ORDERED.

Dated and entered this _____ day of December, 2024.

Hon. Mae A. D'Agostino
United States District Judge